



RECEIVED SEP 11 2009

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF AIR AND WASTE MANAGEMENT
391 LUKENS DRIVE
NEW CASTLE, DELAWARE 19720-2774

WASTE MANAGEMENT SECTION
SITE INVESTIGATION &
RESTORATION BRANCH

TELEPHONE: (302) 395-2600
FAX: (302) 395-2601

September 9, 2009

Mr. Steve Baggett
Stantec
102 Pickering Way Suite 200
Exton PA 19341

**RE: Draft Phase II RI/FFS Report
Amtrak Wilmington Fueling Facility (DE-0266)**

Dear Mr. Baggett:

This letter is to formalize the Department's comments on the risk assessment portion of the Draft Remedial Investigation/Feasibility Study Report for the Former Fueling Facility site. DNREC submitted its comments on human health risk previously to you by e-mail. As discussed, these comments are to complement the EPA's comments on the same risk assessment report dated September 2008. Stantec will provide one response letter to EPA and DNREC that addresses both agencies' comments.

Because the risk assessment is an important component of the Draft Phase II RI/FFS report that has an impact on the proposed remedy, DNREC would like these comments to be addressed first, before evaluating the other components of the report that includes the remedy itself.

Human Health Risk:

General:

According to the report, human health risk was evaluated for two separate areas, the "roundhouse" and the "site-wide" for worker and trespasser exposures. ProUCL was used to estimate the 95% UCLs of contaminant concentrations. ProUCL also recommends the way that best suits the data distribution. However, there is an inconsistency between the distribution and resulting exposure point concentration recommended by ProUCL and the information presented in Table 10-4. In every instance, the number presented in Table 10-4 is lower than the recommendation. In addition, DNREC has noticed that some of the ProUCL output presented in

Delaware's good nature depends on you!

Appendix R is missing the recommended ProUCL distribution and the standard bootstrap UCL is used in the risk calculation. This may led to a possible inaccuracy on the risk assessment results.

Therefore, DNREC recommends Stantec to review the input used in the ProUCL program, including using the recommended values for exposure point concentrations and preserving the data input files to facilitate DNREC evaluation.

Specifics:

On page 82, the risk assessment states:

For this analysis, as per USEPA (1997), when the data distributions were neither normal nor lognormal, the nonparametric bootstrap was used.

The document cited is by A. Singh who is also the author of the ProUCL software used in the risk assessment. The data distributions given in Table 10 of the Secor report were calculated by ProUCL and the ProUCL output page of each calculation is included in Appendix R. Typically ProUCL output contains a RECOMMENDATION section with a statement of the data distribution and a preferred 95% UCL method. **Is Secor's position that ProUCL recommendations do not supersede the recommendations in the 1997 EPA paper?**

In some instances the ProUCL output pages in Appendix R appear to have insertions or deletions by Secor. For the data set "statewide data 0-2 ft—C5-C8," the comment "Recommended UCL exceeds the maximum observation" was apparently inserted by Secor to explain the EPC entry in Table 10-2. That seems like a good practice. For many other entries however, there is no comment of explanation when the EPC differs from that recommended by ProUCL. **What is the reason for deleting the ProUCL recommendation without explanation?**

In some cases when ProUCL gives the distribution as either normal (as for the data set "Roundhouse 0-2 ft, C5-C8 aliphatics" and data set "roundhouse all depths, C11-C22 aromatics") or lognormal (as for data set "site wide 0-2 ft, C19 to C36 aliphatics"), a non-parametric UCL is offered as the EPC, contradicting both the 1997 EPA reference and ProUCL.

In the instances where the EPC selected follows neither reference (EPA 1997 or ProUCL), what rule is being applied?

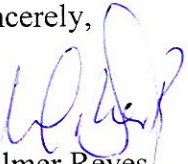
Ecological Risk:

DNREC obtained an opinion on the ecological risk part of the Draft Phase II report from Louis Berger Group, Inc., an approved DNREC consultant. DNREC concurs with LBG's recommendation that implementing a surface water and sediment toxicity assessment will be beneficial to support the final conclusions of the ecological risk assessment. This recommendation has been emphasized most recently when DNREC submitted comments for the sampling work plan for the Brandywine Creek.

Mr. Steve Baggett
September 9, 2009
Page 3 of 3

If you have any questions regarding this letter, please contact me at 302-395-2600.

Sincerely,



Wilmer Reyes
Project Manager

WMR: tlw
WMR09023.doc
DE 0266 II B 4

pc: Qazi Salahuddin, DNREC-SIRB
Stephen Johnson, DNREC-SIRB
Richard Greene, DNREC-DWR
Kyle Chelius, EPA TSCA